

Message Text

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63

ACTION EUR-25

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TO SECSTATE WASHDC 4828

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UNCLAS ATHENS 5507

E.O. 11652: N/A

TAGS: PINS, GR

SUBJECT: SPECIAL COURTS MARTIAL ABOLISHED

1. MINISTRY OF DEFENSE ANNOUNCED AUGUST 7 ABOLITION OF ALL SPECIAL COURTS MARTIAL. THESE COURTS WERE ESTABLISHED AFTER THE DECLARATION WHICH HAD IMPOSED A "STATE OF SIEGE" (I.E. MARTIAL LAW) FOLLOWING POLYTECHNION DISORDERS OF MID-NOVEMBER 1973. ARTICLE 11 OF THE LAW GOVERNING THE STATE OF SIEGE HAD RESERVED TO THE MINISTER OF DEFENSE THE COMPETENCY TO ESTABLISH SUCH SPECIAL MILITARY COURTS.

2. PRESUMABLY THE PRACTICAL EFFECT OF ABOVE ACTION WILL BE THE TRANSFER TO CIVIL COURT JURISDICTION OF CIVILIANS CHARGED WITH OFFENSES PREVIOUSLY COMING UNDER JURISDICTION OF SPECIAL COURTS MARTIAL.

3. WHILE STATE OF SIEGE (MARTIAL LAW) STILL IN FORCE IN GREECE, ABOLITION OF SPECIAL COURTS MARTIAL SALVES PUBLIC CONSCIOUSNESS BY REMOVING ONE OF MARTIAL LAW'S MORE PROVOCATIVE AND ODIUS ASPECTS. UNTIL CONVENING OF NATIONAL ASSEMBLY (PARLIAMENT) THE POWER EITHER TO SUSPEND OR DECLARE MARTIAL LAW RESTS WITH THE GOVERNMENT (SEE PRESS SPOKESMAN LAMBRIAS' STATEMENT AS REPORTED PARA 2, ATHENS-5345). GOG EVIDENTLY FELT SUCH A CLARIFICATION IS NECESSARY SINCE PRIOR LEGISLATIVE

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DECREE GOVERNING STATE OF SIEGE (L.D. 798, DECEMBER 30, 1970)

STATES THAT "A ROYAL DECREE" IS REQUIRED TO EITHER DECLARE
OR SUSPEND STATE OF SIEGE.
TASCA

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